

Application No. 10/539,736
Amendment Dated 9/11/2007
Reply to Office Action of 03/29/2006

REMARKS/ARGUMENTS

By this Amendment, claims 14 and 17 are amended, claims 12-13 and 25 are canceled.

Claims 1-11, 14-24, and 26-27 are pending. Applicant herein elects **without traverse**, Group III, claims 12-19, and 25, drawn to donepezil hydrochloride monohydrate and compositions thereof, and a process for preparing the compound. Claims 12-13 and 25 are canceled herein. Claims 14-19 are drawn to the elected Group.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Restriction Requirement

In the Office Action dated August 14, 2007, the Examiner has set forth a requirement for restriction pursuant to 35 USC 121 and 372, alleging that the subject matter defined by the claims is not so linked as to form a single general inventive concept under PCT Rule 13.1.

The Examiner has restricted the claims into four Groups. Group I, claims 1-8, and 23, is drawn to donepezil hydrochloride form H1 and compositions thereof. Group II, claims 9-11, and 24, is drawn to donepezil hydrochloride form H2 and compositions thereof. Group III, claims 12-19, and 25, is drawn to donepezil hydrochloride monohydrate, compositions thereof, and a process for preparing the compound. Group IV, claims 20, and 26-27, is drawn to donepezil sesquihydrate and compositions thereof.

Applicant elects **without traverse**, Group III, claims 12-19, and 25, drawn to donepezil hydrochloride monohydrate and compositions thereof, and a process for preparing the compound. Applicant has canceled claims 12-13 and 25. Claims 14-19 read on the elected

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Group. Applicant believes that the foregoing is a full and complete response to the Office Action of record.

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned agent at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

By


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September 11, 2007

Please charge or credit our
Account No. 03-0075 as necessary
to effect entry and/or ensure
consideration of this submission.